

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
BEAUFORT DIVISION

<b>Kendrick Tremaine Jeter,</b>	)	<b>C/A NO. 4:05-2873-CMC-TER</b>
<b>a/k/a Tremaine Kendrick Jeter,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	<b>OPINION and ORDER</b>
<b>v.</b>	)	
	)	
<b>Spartanburg County Jail</b>	)	
<b>Administrator; Doctor Under</b>	)	
<b>Contract with Spartanburg</b>	)	
<b>Jail; and United States Marshal,</b>	)	
	)	
<b>Defendants.</b>	)	
	)	

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This matter is before the court on Plaintiff's *pro se* amended complaint filed in this court pursuant to 42 U.S.C. § 1983 on October 30, 2006. Defendants filed a motion for summary judgment on June 27, 2007. A *Roseboro* order was entered by the court on June 28, 2007, advising Plaintiff of the importance of the summary judgment motions and the need for Plaintiff to file an adequate response. Plaintiff filed a response on August 3, 2007.

In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02 (B)(2)(d), DSC, this matter was referred to United States Magistrate Judge Thomas E. Rogers, III, for pre-trial proceedings and a Report and Recommendation.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the court.

*See Mathews v. Weber*, 423 U.S. 261 (1976). The court is charged with making a *de novo* determination of any portion of the Report and Recommendation of the Magistrate Judge to which a specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter to the Magistrate Judge with

instructions. *See* 28 U.S.C. § 636(b). The court reviews the Report and Recommendation only for clear error in the absence of an objection. *See Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that “in the absence of a timely filed objection, a district court need not conduct a *de novo* review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”) (citation omitted).

On December 4, 2007, the Magistrate Judge issued a Report recommending that the motion filed by Defendants be granted in its entirety. The Magistrate Judge advised Plaintiff of the procedures and requirements for filing objections to the Report and Recommendation and the serious consequences if he failed to do so. Plaintiff has filed no objections and the time for doing so has expired.

After reviewing the motion, Plaintiff’s response, the record, the applicable law, and the Report and Recommendation of the Magistrate Judge, the court finds no clear error.

Therefore, it is hereby ordered that the Defendants’ motion for summary judgment is **GRANTED**.

**IT IS SO ORDERED.**

s/ Cameron McGowan Currie  
CAMERON McGOWAN CURRIE  
UNITED STATES DISTRICT JUDGE

Columbia, South Carolina  
January 17, 2008

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